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February 8, 2007

**Via ECF**

Honorable Marvin J. Garbis  
United States District Court  
for the District of Maryland  
101 W. Lombard Street  
Baltimore, Maryland 21201

RE: William C. Bond v.  
Kenneth Blum, Sr., et al.  
Civil Action No.: MJG-01-CV-2600

Dear Judge Garbis:

Please consider this a status report as to Third-Parties Howard J. Schulman and Schulman & Kaufman, LLC only.

Attached is Third Parties' proposed Order. We understand that Judgment Creditor Adelberg, Rudow, Dorf & Hendler, LLC ("Adelberg") has or will submit its own order today. For the Court's convenience, we have left the amounts blank in light of the pending ruling on the motion. Of course, we believe that the amount in ¶ 1 should be \$30,864.50 and, in ¶ 2, \$384.76.

We are concerned about the Court directing the Bank of America, N.A. to submit the funds to the Court for its distribution or to pay Third-Parties for two reasons. First, we do not want it to potentially create an issue of satisfaction in the appeal of the "bank tort case," which is presently pending in the Court of Special Appeals. Second, although both Adelberg and we are anxious for the Court's ruling, Adelberg has not yet perfected

its writ of garnishment in this Court.<sup>1</sup> Although McDaniel, Bennett & Griffin sought and served a writ of garnishment on Bank of America, N.A., Adelberg did not obtain a writ until today (Paper No. 228). In our view, since the controversy with McDaniel is now moot, this Court will not acquire jurisdiction over Bank of America, N.A. until it is served with the writ; in addition, Bank of America, N.A. will have 30 days from service within which to answer. *See* Maryland Rule 2-645(d) through (g).

Particularly given the time and energy that the Court has devoted to this issue, we would agree to a stay of this matter and the state court action to provide Adelberg the opportunity to perfect its writ.

Thank you.

Very truly yours,

Howard J. Schulman

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<sup>1</sup> Adelberg requested a writ in this Court yesterday (Paper No. 227). Previously, Adelberg requested and served a writ in the state court proceedings based on the enrollment of this Court's judgment in the Circuit Court for Baltimore City (24-C-03-004321). The writs served in these proceedings was requested by McDaniel, Bennett & Griffin, LLC (Papers 215 & 216 MJG-01-CV-2600).